

SPECIAL MINIMUM LOT SIZE AREA INSTRUCTIONS

According to
Section 42-197 of Chapter 42 of the Code of Ordinances

This packet includes:

- a **Special Minimum Lot Size Area (SMLSA) Application**,
- a **Sample Calculation** with an explanation of how the Planning Department staff calculates the minimum lot size area,
- a sample **Petition** demonstrating 10% of support within the proposed boundary area,
- a sample **Deed Restriction Statement**,
- a list of **Recommended Community Meeting Sites**, and
- a sample **Notification Sign** with instructions for their size and placement.

In order to qualify as a SMLSA, an area must:

- Contains at least 5 blockfaces with 5 or more lots on each blockface;
- Contain 500 or less lots within the same subdivision plat or not more than 400 lots within different subdivision plats;
- Contain all lots on each blockface within the proposed area;
- Form a contiguous area without containing any out tracts;
- Contain lots, at least 80 percent of which are developed for or restricted to single-family use, exclusive of land used for a park, library, place of religious assembly or an elementary school, junior high school, or high school; and
- Contain lots, at least 10 percent of which do not have a minimum lot size established by deed restrictions;

An applicant must schedule a meeting with City staff prior to submitting an application. A complete application must include all items required as submittal requirements on the application., including a petition of support signed by owners of at least 10% of the lots in the proposed area. **Please be certain that your level of support meets the minimum requirement. Once an application is submitted, no additional signatures may be added to the petition.**

A complete application package must be mailed or hand-delivered during standard business hours to:

**Planning and Development Department, Community Sustainability Division
Attn: Kevin Calfee
611 Walker, 6th Floor
Houston, TX 77002**

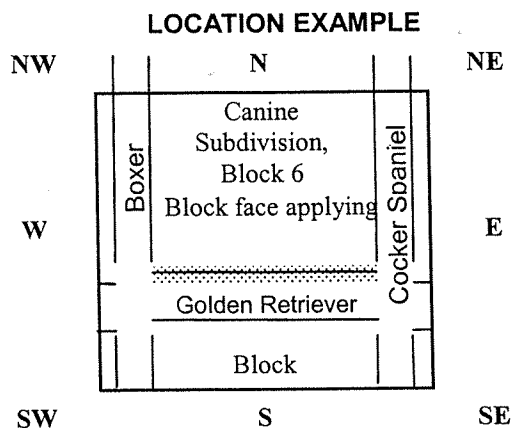
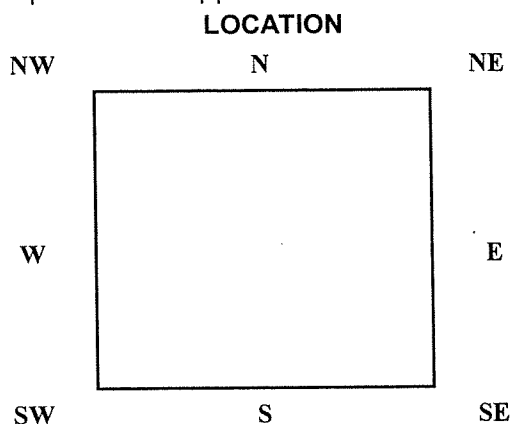
Once the application is submitted, the Planning Department will confirm its receipt to the applicant in writing and the Planning Director will have thirty (30) days to determine whether the application is *Initially Complete*, after which the application process will continue. Applications that meet all of the required criteria will be forwarded to the Houston Planning Commission for a public hearing and consideration of the application.

Members of the public may present comments in person or in writing at the public hearing. After the public hearing, the Commission shall consider whether to recommend that the City Council establish the SMLSA. If the Commission decides to recommend that the City Council establish the SMLSA, the Director shall refer the application to the City Council. Should the Commission deny the SMLSA application, the decision of the Commission shall be final.

Contact Kevin Calfee at 713-837-7768 or Kevin.Calfee@HoustonTX.gov with any questions or to schedule a meeting prior to submitting an application.

SPECIAL MINIMUM LOT SIZE AREA APPLICATION

Please complete entire application form.



1. BOUNDARY:

Block # _____
 Lot #'s _____
 Subdivision Name _____
 Street Name & Side (s) _____
 Lot (s) Address _____
 Odd/Even Addresses _____

BOUNDARY EXAMPLE:

Block 6 _____
 Lots 1-5 _____
 Canine Subdivision _____
 North side of Golden Retriever Ln. _____
 800 Block Golden Retriever Ln. _____
 Odd Addresses _____

2. CONTACTS:

Applicant _____	Phone # _____
Address _____	E-mail _____ Fax # _____
City _____	State _____ Zip _____
Other _____	Phone # _____
Address _____	E-mail _____ Fax # _____
City _____	State _____ Zip _____

3. PROJECT INFORMATION (STAFF USE ONLY-DO NOT FILL IN):

File # _____	Key Map # _____	TIRZ _____
Lambert # _____	Super N'hood _____	Census Tract _____
_____	City Council District _____	_____

4. SUBMITTAL REQUIREMENTS:

PLEASE CHECK

- Completed application form (page 2)
- Signed petition signed by the applicant (page 5)
- Signed petition of support signed by 10% of lot owners within the boundary area (page 6)
- Signed deed restriction statement (page 8)
- Three (3) recommended locations for a community meeting (page 9)
- Sample of Notification Sign (page 10)
- Copy of deed restrictions, if applicable
- Map or sketch showing the address, land use and the size of all lots within boundary area

**SPECIAL MINIMUM LOT SIZE AREA
SAMPLE CALCULATION**

Lots ranked by size	Address	Size	% by Area	Cumulative % by Area
1	1510 Cocker Spaniel	6,500	15.4%	15.4%
2	1502 Cocker Spaniel	6,000	14.3%	29.7%
3	1508 Cocker Spaniel	6,000	14.3%	43.9%
4	1506 Cocker Spaniel	6,000	14.3%	58.2%
5	1504 Cocker Spaniel	5,830	13.8%	72.0%
6	1500 Cocker Spaniel	5,500	13.1%	85.1%
7	1512 Cocker Spaniel	3,270	7.8%	92.9%
8	1514 Cocker Spaniel	3,000	7.1%	100.0%
Total		42,100	100.0%	

The City calculates the special minimum lot size area in accordance with the following:

- 1) List all lot sizes in the application area in descending order;
- 2) Each lot's area (in square feet) is expressed as a percentage of the total area of all lots in the application;
- 3) A cumulative total is kept; and
- 4) The first lot that represents a cumulative total of at least 70 percent (60 percent for applications in city designated historic districts), becomes the proposed special minimum lot size area.

**SPECIAL MINIMUM LOT SIZE AREA
SAMPLE APPLICANT PETITION**

(Date) _____

I, (name of petitioner) _____, owner of property within the proposed boundaries of the Special Minimum Lot Size Area, specifically, (Block) _____, (Lot) _____ of (name of subdivision) _____, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sections 42-197. With this petition and other required information, I request to preserve the character of the existing lot sizes for the following area through the application of and creation of a Special Minimum Lot Size Area.

Example: Blocks 15 - 19, Lots 1-37, in Cocker Spaniel Subdivision

(Signature of petitioner) _____

(Printed name of petitioner) _____

SPECIAL MINIMUM LOT SIZE AREA SAMPLE PETITION OF SUPPORT

Listed below is evidence by the lot owners, or their authorized agent, of property within the proposed boundary of the Special Minimum Lot Size Area who support the request to preserve the character of the existing lot sizes for the area that follows through the application and creation of a special minimum lot size area.

Example: Blocks 15 - 19, Lots 1-37, in Cocker Spaniel Subdivision in (name of subdivision)

A special minimum lot size area is determined by finding the current lot size that represents a minimum size for at least 70% of the proposed area (60% in city designated historic districts). The application data identifies lot sizes ranging from _____ to _____ square feet. (The Planning and Development Department will form the calculations to determine the Special minimum Lot Size.

The special minimum lot size area may only be adopted by City Council by the passage of an ordinance.

By signing this evidence of support, I hereby represent: (1) that I am the lot owner or the lot owner's authorized agent of the property with respect to which I have affixed my signature, and (2) I support the petition of (Name of Petitioner) _____ to create a Special Minimum Lot Size Area for (Block) _____, (Lot) _____ in (Name of Subdivision) _____.

1) Print Name:	Address:	
Signature: X	Date:	Telephone:

2) Print Name:	Address:	
Signature: X	Date:	Telephone:

3) Print Name:	Address:	
Signature: X	Date:	Telephone:

4) Print Name:	Address:	
Signature: X	Date:	Telephone:

**SPECIAL MINIMUM LOT SIZE AREA
DEED RESTRICTION STATEMENT**

I have personal knowledge of the facts set forth in this deed restriction statement, each of which is true and correct.

Initial (1), (2), or (3) as applicable:

- 1. _____ All properties in the proposed Special Minimum Lot Size Area do not have deed restrictions.
- 2. _____ All of the properties have deed restrictions; however, the deed restrictions do not address minimum lot size (attach copy of Deed Restrictions).
- 3. _____ At least 10% of lots within the boundary area that do not have a minimum lot size established by deed restrictions (attach copy of Deed Restrictions).

Applicant's Signature

Date

Applicant's Printed Name

Address

**SPECIAL MINIMUM LOT SIZE AREA
RECOMMENDED COMMUNITY MEETING SITES**

A community meeting must be held within sixty (60) days after the application has been deemed initially completed. The meeting site must be within or near the proposed area, subject to the availability of an appropriate venue. At the community meeting property owners will be informed of the application submitted and the process for review and consideration by the department, commission and city council.

The requirements of the venue are:

- Accessible to all property owners within the boundary area
- The venue must hold at least 20% of the number of lot owners within the boundary area
- Adequate amount of seating for those present at the community meeting
- Access to a working electrical outlet
- Available between 6pm-9pm, Monday-Friday (Saturdays will be considered on a case by case basis)
- Free of cost (including security)

In the boxes below please give 3 proposed meeting sites.

Name of Venue	Address	Time and Date Available	Contact Information

**SPECIAL MINIMUM LOT SIZE AREA
SAMPLE NOTIFICATION SIGN**

The applicant is responsible for obtaining and posting (2) signs on each blockface within the boundary of the proposed Special Minimum Lot Size Area within ten (10) days of an initially completed application. The Planning and Development Department will inform the applicant of an initially completed application to post signs (see Sample Notification Sign below). The signs (minimum size: 2' x 3') shall be placed within fifteen feet from each right-of-way bordering the area. Each sign shall face the R-O-W with print large enough to be legible from the R-O-W. The applicant is responsible for contacting Planning Staff once the signs are in place. The applicant shall use reasonable efforts to maintain the signs to the end of the process.

